

BILL ANALYSIS

C.S.H.B. 13
By: Paddie
State Affairs
Committee Report (Substituted)

BACKGROUND AND PURPOSE

In February of this year, Winter Storm Uri struck Texas and paralyzed the state's electric grid, leaving millions of Texans without power for upwards of a week in frigid weather. This storm and its aftermath highlighted the need for greater coordination and communication between electric utilities, the natural gas industry, and their regulators to prevent these long-lasting power outages. C.S.H.B. 13 seeks to address this need by establishing the Texas Energy Disaster Reliability Council to help prevent interruptions in electric service lasting more than 24 hours caused by a disaster.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 13 amends the Utilities Code to establish the six-member Texas Energy Disaster Reliability Council with the following duties:

- to prevent interruptions in electric service lasting more than 24 hours or disasters, as that term is defined by the Texas Disaster Act of 1975;
- to implement procedures to manage emergencies caused by disasters;
- to maintain records of critical infrastructure facilities to maintain service in a disaster;
- to coordinate the delivery of fuel to providers of electric generation service in a disaster;
- to monitor supply chains for the electric grid in Texas to minimize service disruptions; and
- to study and make recommendations on methods to maintain reliability of the electric grid during a disaster, including methods for maintaining the reliability of natural gas supply networks.

C.S.H.B. 13 sets out the composition of the council, which is as follows:

- the presiding officer and the executive director of the Public Utility Commission of Texas (PUC);
- the chairman and the executive director of the Railroad Commission of Texas;
- the CEO of the independent organization that is certified by the PUC to perform certain essential market functions for the ERCOT power region; and
- the chief of the Texas Division of Emergency Management, who is the council's presiding officer.

The bill requires the council to hold meetings during the weeks of March 1 and September 1 of each year and also to convene as soon as reasonably possible during or in anticipation of a disaster to coordinate fuel supplies and minimize the duration of an actual or potential extended power outage caused by the disaster. The bill requires a public utility or gas provider to provide to the council any information it requests. The bill exempts the council's meetings and any information obtained or created by the council from state open meetings law and state public information law, as applicable, and exempts the council from statutory provisions governing state agency advisory committees.

C.S.H.B. 13 requires the council to submit a report to the legislature on the reliability and stability of the electric supply chain in Texas not later than November 1 of each even-numbered year. The bill requires the report to include recommendations on methods to strengthen the electric supply chain and decrease the frequency of extended power outages caused by a disaster in Texas. The bill sets out state, federal, and private sector entities and individuals that the council may consult and coordinate with in carrying out its functions.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2021.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 13 differs from the original in minor or nonsubstantive ways by conforming to certain bill drafting conventions.